

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOSEPH A. CRUM,)	
)	
Plaintiff,)	
v.)	Civil Action No. 06-250 Erie
)	
UNITED STATES OF AMERICA,)	
et al.,)	
)	
Defendants.)	

MEMORANDUM JUDGMENT ORDER

_____ Plaintiff's civil rights complaint was received by the Clerk of Court on October 24, 2006 and was referred to Chief United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Chief Magistrate Judge's Report and Recommendation [54], filed on February 18, 2009, recommends that the United States' motion for summary judgment [38] be granted. The parties were allowed ten (10) days from the date of service in which to file objections. Service was made on Plaintiff by certified mail at FCC Forrest City, Medium, in Forrest City, Arizona, where he is incarcerated, and on the Defendants. No objections were filed. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 13th day of March, 2009;

IT IS HEREBY ORDERED that the United States' motion for summary judgment [38] is GRANTED. JUDGMENT is hereby entered in favor of the United States of America and against Plaintiff, Joseph A. Crum.

The Report and Recommendation of Chief Magistrate Judge Baxter [54], dated February 18, 2009, is adopted as the opinion of this Court.

s/ SEAN J. McLAUGHLIN

Sean J. McLaughlin
United States District Judge

cc: all parties of record
Chief U.S. Magistrate Judge Baxter